

REMARKS

As a preliminary matter, Applicant's representative would like to thank Examiner Alexander O. Williams, Art Unit 2826, for courtesies extended in the personal interview conducted on December 14, 2005.

An Examiner's Interview Summary was mailed on December 20, 2005.

Applicant submits this Statement to comply with the requirements of M.P.E.P. § 713.04.

In the interview, the following was discussed:

A. Identification of claims discussed:

Claims 1 and 3.

B. Identification of prior art discussed:

Nomoto (U.S. Patent No. 6,320,216 B1).

C. Conduct of the Interview:

Applicant's representative discussed the Request for Reconsideration under 37 C.F.R. § 1.114 and Applicant Initiated Interview Request filed on November 10, 2005.

In the interview, Applicants' representative argued that Nomoto does not disclose or suggest that the "transition layers" 5a and 5b of Nomoto include a "*transition metal*", as recited in claim 1. Particularly, Applicants' representative noted that the "transition layers 5a and 5b", as shown in Figures 11A and 11B of Nomoto, are not the same as the claimed "*transition metal*" (i.e., a transition metal as identified in the Periodic Table of Elements).

Examiner Williams agreed that the “transition layers 5a and 5b”, as shown in Figures 11A and 11B of Nomoto, are not the same as the claimed “*transition metal*” (i.e., a transition metal as identified in the Periodic Table of Elements).

However, Examiner Williams noted that Nomoto, at column 10, lines 27-37, shows a transition layer made of a metal within the meaning of a transition metal group of metals.

Thus, the Examiner maintained that Nomoto shows transition layers made of a metal of Ti or Nb.

The Examiner stated that a non-final Office Action likely would be issued.

The Examiner also agreed to consider a Supplemental Preliminary Amendment, should Applicant deem appropriate to further amend the claims.

E. Conclusion:


It is believed that no petition or fee is required. However, if the USPTO deems otherwise, the Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Serial No. 10/695,453
Docket No. T36-159874M/RS
(NGB.322)

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Respectfully Submitted,

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